

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

C.R. No.229 of 2006

Date of decision February 23, 2007

Smt. Charu alias Indu

.....Petitioner

Versus

Jatinder Aggarwal

.....Respondent

CORAM: HON'BLE MR. JUSTICE VINEY MITTAL

Present:- Sh. Raman Mahajan, Advocate
for the petitioner.

Sh. Vikas Mohan Gupta, Advocate
for the respondent.

Viney Mittal, J (Oral)

The wife is petitioner before this Court. She has challenged the order dated September 22, 2005 passed by the learned District Judge, Chandigarh whereby an amount of Rs. 4,000/- has been fixed as maintenance pendente lite per month by the husband to the wife.

Sh. Raman Mahajan, learned counsel for the petitioner states that keeping in view the earnings of the husband and also the fact that he is a big government contractor, the amount fixed by the trial Court is inadequate.

Sh. Vikas Mohan Gupta, learned counsel for the respondent states that as of today the husband is not having much work in hand and is also having many other problems in the business and therefore, the amount fixed by the trial Court is wholly adequate and sufficient.

However, the learned counsel further states that in order to be fair to the wife, the husband is ready to pay an amount of Rs.7,000/- as maintenance pendente lite per month.

Keeping in view the fair stand adopted by the husband,

the present petition is allowed and the order dated September 22, 2005 passed by the District Judge, Chandigarh is modified to the extent that husband shall be liable to pay an amount of Rs.7,000/- per month as maintenance pendente lite from the date of the application filed by the wife before the trial Court i.e. w.e.f. April 12, 2005.

The present petition is disposed of with the aforesaid directions.

A copy of the order be given dasti on payment of usual charges.

(VINEY MITTAL)
JUDGE

February 23, 2007
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